

UNITED STATES DISTRICT COURT  
District of New York

UNITED STATES OF AMERICA, )  
Plaintiff, )  
versus )  
Kaveh L. Afrasiabi, )  
Defendant. )

Case No: 21-MJ-50

**DEFENDANT’S SUPPLEMENTARY MOTION FOR THE IMMEDIATE DISMISSAL OF  
COMPLAINT BASED ON EXCULPATORY EVIDENCE**

Defendant Kaveh Afrasiabi, pro se, in this Supplementary Motion To Dismiss provides one of numerous examples of exculpatory evidence that had the Grand Jury been shown in the interest of justice, in most likelihood they would have second thoughts about indicting Afrasiabi, who is accused of pro-Iran propaganda and lobbying in US for Iran. On the contrary, this evidence alone proves that Afrasiabi in fact lobbied Iran for the sake of American interests.

Defendant turns the Honorable Court’s attention to the numerous emails exchanged with the daughter of FBI agent Robert Levinson missing in Iran and the nature of activities that Afrasiabi undertook to assist Levinson’s family for the sake of gaining the release of Mr. Levinson. *Exhibit No. 1.* Afrasiabi carried messages from Sarah Levinson (Moriarty) to the Iranian officials, reached out to other Iran intermediaries for help, including Bishop John Chane, met with and raised the issue of Levinson with Iran’s foreign minister and Iran’s ambassador to UN, assisted Levinson’s family to write an oped article to debunk the public information that Levinson was a “spy,” and, in addition, Afrasiabi wrote an oped article calling for the immediate release of Levinson, and followed it up with raising the issue in his TV interviews. The Iranian official position was that Levinson had left Iran. Sarah Moriarty and her family repeatedly thanked Defendant Afrasiabi, who refused to receive any compensation for his humanitarian efforts.

The internet link for Afrasiabi’s article calling for Levinson’s release is as follows:

<https://www.eurasiareview.com/24042016-curious-case-of-bob-levinson-call-for-release-of-a-misinterpreted-american-agent-oped/>

Although the prosecution in the complaint admits to have had full access to Afrasiabi’s emails, none of the emails that are exculpatory in nature and contradict the false narrative of an Iran “agent” are cited and, quite likely, were not presented to the Grand Jury, as they should have in line with the legal and ethical duties of the Prosecution in this instant action.

Kaveh L. Afrasiabi. Pro Se

Certificate of Copy: A true copy of this Supplementary Motion has been served on the Plaintiff on this date, February 4, 2021, under the pains and penalties of perjury.

Kaveh Afrasiabi